

House Committee on Government Operations and Military Affairs

Comments on S.310 (As Passed by the Senate) from

Charlie Baker, Chair, Government Relations Committee

Vermont Association of Planning and Development Agencies

April 17, 2024

In general, we support the bill. Below are some specific suggestions and recommendations. Thank you for your consideration.

1. Sec. 1, 20 V.S.A. § 48, COMMUNITY RESILIENCE AND DISASTER MITIGATION GRANT PROGRAM

We support this grant program. We recommend a report back to the legislature every year or two to review the grants that have been made relative to the statutory priorities so that the legislature can consider any changes in priorities that might be needed over time.

2. Sec. 7, 20 V.S.A. § 6, LOCAL AND REGIONAL ORGANIZATION FOR EMERGENCY MANAGEMENT

We support expansion of REMC membership as described on page 15.

3. Sec. 10, 20 V.S.A. § 41, STATE EMERGENCY MANAGEMENT PLAN

Recommend adding a sentence: The Plan shall include templates and guidance for regional emergency management.

4. Sec. 13,

Just an editorial note that the language on page 38-39,

§ 3619. SEWERS AND PLUMBING; ORDERS. The board may require the owners of buildings, subdivisions, or developments abutting on a public street or highway to have all sewers from those buildings, subdivisions, or developments connected to the municipal corporation's sewage system.

Is repeated on page 24 in subsection (1),

§ 3603. BOARD OF COMMISSIONERS; DUTIES AND AUTHORITY

(a) The board shall have the supervision of the municipal sewage system and shall make and establish all needed rates for rent and rules for control and operation of the system. The board may require:

(1) the owners of buildings, subdivisions, or developments abutting a public street or highway to have all sewers from those buildings, subdivisions, or developments connected to the municipal corporations sewer system; and

(2) any individual, person, or corporation to connect to the municipal sewage system for the purposes of abating pollution of the waters of the State.

(b) The commissioners may appoint or remove a superintendent at their pleasure.

5. Sec. 13, page 39, §3620 MEETINGS; VOTE

I am not an expert in this section of statute but would like to draw your attention to an issue that recently played out in Westford. The Town brought a proposal for a village wastewater system to the residents for a vote. It failed by a vote of 488 for the project to 532 against it. The issue for your consideration is whether all residents of a town should be voting on these items or only the residents within the sewer service area. I would recommend changing statute so that only those voters that are going to have ongoing obligations for the system vote on budgets and bonding for the system. Again, I'm not sure that this is the right part of statute to be changed to address this issue, but we need a change in statute to have a better system for implementing new wastewater systems in our villages if we are to accomplish our drinking water, housing, smart growth, climate change, water quality, and transportation goals.

6. Sec. 32, page 55-56, 20 V.S.A. § 30. STATE EMERGENCY RESPONSE COMMISSION;
CREATION

The appointment of members of the SERC is proposed to be changed from nine gubernatorial appointments to ten appointed in a split method; three by the Speaker, three by the President Pro Tempore, and four by the Governor. Given that the previous paragraph requires one representative from the ten categories, we recommend that the ten categories be broken out amongst the three appointing officials so as to make sure that the ten types of organizations continue to be represented and conflicts in appointments are avoided.

7. I feel it necessary to also call to your attention the fact that the Regional Planning Commissions have been level funded since FY2018 through the Emergency Management Planning Grant (EMPG) Program managed by Vermont Emergency Management. We play a critical role in Vermont's emergency planning, hazard mitigation, and disaster response and recovery preparedness, especially in support of Vermont's municipalities. The EMPG program is the source of funding for this work. Given inflationary pressures, this is a functional decrease in funding at a time when demand for this work by our municipalities and the state has never been greater, and increasing. I have attached the funding increase request to Vermont Emergency Management for your awareness.